



JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of

Daisuke ENDO, et al.

Serial No.: 10/564,742

Group Art Unit: 4111

Filing Date: January 17, 2006

Examiner: MARKS, JACOB B

For: POSITIVE ACTIVE MATERIAL, PROCESS FOR PRODUCING THE SAME, AND POSITIVE ELECTRODE FOR LITHIUM SECONDARY BATTERY AND LITHIUM SECONDARY BATTERY EACH EMPLOYING THE SAME

Honorable Commissioner of Patents
Alexandria, Virginia 22313-1450

**RESPONSE TO FIRST OFFICE ACTION AND
RESTRICTION REQUIREMENT**

Sir:

In response to the Office Action dated January 7, 2009, please consider the following:

INTRODUCTORY COMMENTS

Remarks begin on page 2 of this paper.